

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEHMAN BROTHERS HOLDINGS INC., *et al.*

Plaintiffs,

-v-

JP MORGAN CHASE BANK,

Defendant.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 12-9-14

No. 11-cv-6760 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of a letter from Plaintiffs, dated December 2, 2014, requesting permission to file a motion pursuant to Rule 54(b) of the Federal Rule of Civil Procedure to certify as final the Bankruptcy Court's April 19, 2012 order granting in part Defendant's motion to dismiss the Third Amended Complaint. (Doc. No. 97.) The Court is also in receipt of a letter from Defendant, dated December 5, 2014, opposing the request. (Doc. No. 98.) Having given due consideration to the request, the Court finds that in light of the posture of this case, the amount of time that has elapsed since the Bankruptcy Court's Order and since the Court's withdrawal of the bankruptcy reference, and the fact that a fully briefed motion for summary judgment is pending, certification of the Bankruptcy Court's order as final is not warranted here. Accordingly, IT IS HEREBY ORDERED THAT Plaintiffs' motion is deemed made and DENIED.

SO ORDERED.

Dated: December 8, 2014
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE